

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
- v. -	:	CONSENT PRELIMINARY ORDER
	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
ALLIANZ GLOBAL INVESTORS U.S., LLC,	:	
	:	22 Cr. <u>279</u> (CM)
Defendant.	:	
	:	
-----	x	

WHEREAS, on or about May 17, 2022, ALLIANZ GLOBAL INVESTORS U.S., LLC (the "Defendant"), was charged in a one-count Information, 22 Cr. ____ (CM) (the "Information"), with securities fraud, in violation of Title 15, United States Code, Sections 78j(b) and 78ff; Title 17, Code of Federal Regulations, Section 240.10b-5; and Title 18, United States Code, Section 2 (Count One);

WHEREAS, the Information included a forfeiture allegation as to Count One of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), of any and all property, real or personal, constituting or derived from proceeds traceable to the commission of the offense charged in Count One of the Information, including but not limited to a sum of money in United States currency, representing the proceeds traceable to the commission of the offense charged in Count One of the Information that the Defendant personally obtained;

WHEREAS, on or about May 17, 2022, the Defendant pleaded guilty to Count One of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Information and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28,

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DATE FILED: <u>7/12/23</u>

United States Code, Section 2461(c), a sum of money equal to \$463,063,086 in United States currency, representing the proceeds traceable to the commission of the offense charged in Count One of the Information that the Defendant personally obtained;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$463,063,086 in United States currency, which represents the proceeds traceable to the offense charged in Count One of the Information that the Defendant personally obtained; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count One of the Information that the Defendant personally obtained cannot be located upon the exercise of due diligence;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys, Gina Castellano, Richard Cooper, Nicholas Folly, and Margaret Graham, of counsel, and the Defendant, and its counsel, Robert J. Giuffra, Jr., Esq., Stephanie G. Wheeler, Esq., James M. McDonald, Esq., Kathleen S. McArthur, Esq., and Ann-Elizabeth Ostrager, Esq., that:

1. As a result of the offense charged in Count One of the Information, to which the Defendant pleaded guilty, a money judgment in the amount of \$463,063,086 in United States currency (the "Money Judgment"), representing the proceeds traceable to the offense charged in Count One of the Information that the Defendant personally obtained, shall be entered against the Defendant.

2. The Defendant shall make a payment in the amount of \$174,300,000 in United States currency on or before the entry of this Consent Preliminary Order of Forfeiture/Money Judgment (the "Payment"). Upon receipt, the Payment shall be applied in full satisfaction of the Money Judgment.

3. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant ALLIANZ GLOBAL INVESTORS U.S., LLC, and shall be deemed part of the sentence of the Defendant and shall be included in the judgment of conviction therewith.

4. The Payment shall be made by wire transfer to the United States Marshals Service pursuant to the wire instructions to be provided to the Defendant by the Government.

5. The United States Marshals Service is authorized to deposit the Payment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

6. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

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7. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: Margaret

Gina Castellano
Richard Cooper
Nicholas Folly
Margaret Graham
Assistant United States Attorneys
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2224/1027/1060/2923

5/16/22
DATE

ALLIANZ GLOBAL INVESTORS U.S., LLC

By: _____

John Viggiano, Esq.

DATE

By: _____

Richard J. Giuffra, Jr., Esq.
Stephanie G. Wheeler, Esq.
James M. McDonald, Esq.
Kathleen S. McArthur, Esq.
Ann-Elizabeth Ostranger, Esq.
Sullivan and Cromwell, Attorneys for Defendant
125 Broad Street
New York, New York 10004

DATE

SO ORDERED:

Loretta A. Preska
HONORABLE LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

7/12/2023
DATE

2:25 PM

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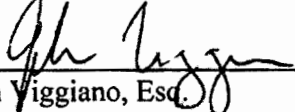
AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: _____
Gina Castellano
Richard Cooper
Nicholas Folly
Margaret Graham
Assistant United States Attorneys
One St. Andrew's Plaza
New York, NY 10007
(212) 637-2224/1027/1060/2923

DATE

ALLIANZ GLOBAL INVESTORS U.S., LLC

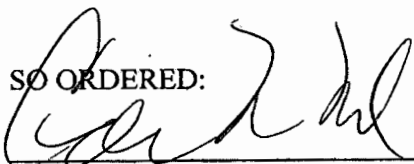
By: _____
John Viggiano, Esq.

5-17-2022
DATE

By: _____
Richard J. Giuffra, Jr., Esq.
Stephanie G. Wheeler, Esq.
James M. McDonald, Esq.
Kathleen S. McArthur, Esq.
Ann-Elizabeth Ostranger, Esq.
Sullivan and Cromwell, Attorneys for Defendant
125 Broad Street
New York, New York 10004

DATE

SO ORDERED:

_____
HONORABLE LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

7/12/2023
DATE

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United States Attorney for the
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By: _____
Gina Castellano
Richard Cooper
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Margaret Graham
Assistant United States Attorneys
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New York, NY 10007
(212) 637-2224/1027/1060/2923

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ALLIANZ GLOBAL INVESTORS U.S., LLC

By: _____
John Viggiano, Esq.

DATE

By: Robert J. Giuffra, Jr.
Richard J. Giuffra, Jr., Esq.
Stephanie G. Wheeler, Esq.
James M. McDonald, Esq.
Kathleen S. McArthur, Esq.
Ann-Elizabeth Ostranger, Esq.
Sullivan and Cromwell, Attorneys for Defendant
125 Broad Street
New York, New York 10004

5/17/2022
DATE

SO ORDERED:

Colleen A. Preska
HONORABLE LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

7/12/2023
DATE